UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

E.B. EAMES CO., INC.

Employer

and

Case 19-RM-2245

NORTHWEST REGIONAL COUNCIL OF CARPENTERS

Petitioner

ORDER

On August 25, 2009, the two sitting members of the Board issued an Order denying review in this proceeding. On June 17, 2010, the United States Supreme Court issued its decision in *New Process Steel, L.P. v. NLRB*, 130 S.Ct. 2635, holding that under Section 3(b) of the Act, in order to exercise the delegated authority of the Board, a delegee group of at least three members must be maintained. By letter dated July 2, 2010, the Employer filed a "request for review of illegally dismissed RM petitions." The Board has carefully considered the Employer's June 30, 2009 Request for Review and its current "request for review," and, except for the Employer's argument that the two-member Board lacked statutory authority to decide the case, finds them without merit. Accordingly, we affirm the decision to deny the earlier Request for Review and deny the instant "request for review."

WILMA B. LIEBMAN, CHAIRMAN

PETER C. SCHAUMBER, MEMBER

BRIAN E. HAYES,

MEMBER

Dated, Washington, D.C., August 24, 2010.

¹ This filing was accepted on July 30, 2010.

² Consistent with the Board's general practice in cases remanded from the courts of appeals, and for reasons of administrative economy, the panel includes the members who participated in the original decision. Furthermore, under the Board's standard procedures applicable to all cases assigned to a panel, the Board members not assigned to the panel had the opportunity to participate in the adjudication of this case at any time up to the issuance of this decision. Accordingly, we deny the Employer's request that the panel not include the two members who participated in the original decision.